

**Appellees.**

HSBC BANK USA, N.A., AS SUCCESSOR  
INDENTURE TRUSTEE FOR THE 6% CONTINGENT  
CONVERTIBLE NOTES DUE 2014 AND THE 4.75%  
CONTINGENT CONVERTIBLE NOTES DUE 2023,

Appellant,

- against -

CALPINE CORPORATION AND ITS AFFILIATED  
DEBTORS AND DEBTORS IN POSSESSION,  
OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS OF CALPINE CORPORATION,  
OFFICIAL COMMITTEE OF EQUITY SECURITY  
HOLDERS,

Appellees.

Civil Case No. 1:07-cv-07832  
(JGK)

-----X  
MANUFACTURERS & TRADERS TRUST  
COMPANY, AS SUCCESSOR INDENTURE TRUSTEE  
FOR THE 7.75% CONVERTIBLE, NOTES,

Appellant,

- against -

CALPINE CORPORATION AND ITS AFFILIATED  
DEBTORS AND DEBTORS IN POSSESSION,  
OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS OF CALPINE CORPORATION,  
OFFICIAL COMMITTEE OF EQUITY SECURITY  
HOLDERS,

Appellees.  
-----X

Civil Case No. 1:07-cv-07867  
(JGK)

**CERTIFICATE OF SERVICE**

I, Marianne Mortimer, certify under penalty of perjury pursuant to 28 U.S.C. § 1746 that on September 24, 2007, I caused to be served by Federal Express delivery the Opposition Brief of the Official Committee of Equity Security Holders upon the parties listed on the attached service list.

Dated: New York, New York  
September 25, 2007



Marianne Mortimer

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